

Appl. No. 10/673,994
Amtd. Dated August 21, 2006
Reply to Office Action of March 20, 2006

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*** REMARKS / ARGUMENTS ...

The present Preliminary Amendment is being filed together with a Request for Continued Examination (RCE).

By the present amendment, a new set of claims (claims 10-17) have been added which are more specifically directed to the embodiment of the invention which is disclosed in applicants' Fig. 3.

It is believed that by having separate groups of claims which are directed to the embodiment of the invention depicted in Figs. 1 and 2 and in Fig. 3, the claims more accurately describe the invention in accordance with 35 U.S.C. §112.

In addition to the changes to the claims, by the present Preliminary Amendment, the paragraph bridging pages 6 and 7 of the specification has been changed to include a description of the embodiment of the connection region 6 that is shown in Fig. 3.

Further, the brief descriptions of Figs. 1 and 3 have been correspondingly amended on pages 3 and 4.

Also, the Abstract has been changed to comply with the Examiner's request, including providing a clean copy of the Abstract on a separate sheet.

Entry of the changes to the specification, Abstract and claims is respectfully requested.

Appl. No. 10/673,994
Amtd. Dated August 21, 2006
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In the Office Action of March 20, 2006 the Examiner objected to the drawings, noting that the embodiment of the connecting region depicted in Fig. 1 was different from the connecting region depicted in Fig. 2.

In response to the objection to the drawings, the paragraph bridging pages 6 and 7 of the specification has been changed to include a description of the embodiment of the connection region 6 that is shown in Fig. 3 and the brief description of Fig. 1 and 3 have been correspondingly changed.

On page 3 of the Office Action of March 20, 2006 the Examiner objected to the Abstract because of the terminology used and a problem with the wording at lines 3-5.

By the present Preliminary Amendment the Abstract has been changed to address and correct the matters noted by the Examiner. Moreover, as requested, a clean copy of the Abstract is being provided on a separate sheet for the Examiner's convenience.

Claims 1-8 and 10-17 remain pending in this application.

Claim 1-8 were rejected by the Examiner under 35 U.S.C. §112, second paragraph. Under this rejection the Examiner noted that she was interpreting the term "individual" in a manner which excludes the ribbon-like strips from being connected together.

In response to this rejection, the term "individual" has been canceled from the claims.

Also under this rejection the Examiner had inquired as to whether claims 7 and 8 were intended to include the body fluid absorbent article having an inner surface.

Appl. No. 10/673,994
Amdt. Dated August 21, 2006
Reply to Office Action of March 20, 2006

In response to the Examiner's inquiry, claims 7 and 8 have been changed to recite the combination of the article of claim 6 in combination with a body fluid absorbent article having an inner surface.

The amendments presented herein for the claims are believed to address and overcome the outstanding rejection of the claims under 35 U.S.C. §112, second paragraph.

Claims 1-8 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Statutory Invention Registration No. H1585 to Ahr.

The Examiner relied upon Ahr as teaching braided structures 44A-C which the Examiner has interpreted as being applicants' claimed ribbon-like structures.

The Examiner specifically relied upon Ahr as teaching:

...a urine guiding structure having longitudinal and transverse directions which includes a plurality of ribbon like strips having a thickness, as best understood, e.g. braided structures 44A-C or strands 54 which can be flat, having or arranged in longitudinal and transverse dimensions or directions, distal end portions, see Figures, especially 1 and 5, the structure(s) denoted 56, and proximal end portions, e.g. at least a proximalmost portion of the remainder of 44A-C or structures 54, and a sheet-like connecting region, e.g. any or all of the other sheet members of the article 20, e.g. core 42, which is interconnected directly or indirectly, see e.g., col. 8, lines 24-55 and col. 10, lines 47-58 of Ahr, to the proximal end portions of the strips.

It is noted that the Examiner had relied upon Ahr as teaching that "at least a proximal most portion of the remainder of 44A-C or structures 54, and a sheet-like connecting region, e.g. any or all of the other sheet members of the article 20, e.g. core 42, which is interconnected directly or indirectly."

Appl. No. 10/673,994
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On page 5 of the Office Action of March 20, 2006 the Examiner as interpreted applicants' claim language as not requiring "that the strips only include proximal and distal end portions, that the entire extent of the proximal end portions are directly interconnected to the connecting region, or that the strips are only connected to one another through the connecting region to one another."

In response to the Examiner's interpretation of the claims and reliance upon Ahr, independent claim 1 has been amended herein to recite that the ribbon-like strips are only interconnected to each other at their proximal end portions.

The Examiner had relied upon Ahr as teaching that "at least a proximal most portion of the remainder of 44A-C or structures 54, and a sheet-like connecting region, e.g. any or all of the other sheet members of the article 20, e.g. core 42, which is interconnected directly or indirectly."

However, as disclosed, in Ahr the braided structures 44A-C or structures 54 are interconnected throughout the length of the braided structures and not only interconnected at the proximal end portions according to applicants' amended claims.

Ahr fails to teach applicants' claimed structure and therefore cannot be relied upon as anticipating or otherwise rendering obvious applicants' claimed invention.

Based upon the above distinctions between the prior art relied upon by the Examiner and the present invention, and the overall teachings of prior art, properly considered as a whole, it is respectfully submitted that the Examiner cannot rely upon the prior art as required under 35 U.S.C. §102 as anticipating applicant's claimed invention.

Appl. No. 10/673,994
Amdt. Dated August 21, 2006
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It is, therefore, submitted that any reliance upon prior art would be improper inasmuch as the prior art does not remotely anticipate, teach, suggest or render obvious the present invention.

It is submitted that the claims, as now amended, and the discussion contained herein clearly show that the claimed invention is novel and neither anticipated nor obvious over the teachings of the prior art and the outstanding rejection of the claims should hence be withdrawn.

Therefore, reconsideration and withdrawal of the outstanding rejection of the claims and an early allowance of the claims is believed to be in order.

It is believed that the above represents a complete response to the Official Action and reconsideration is requested.

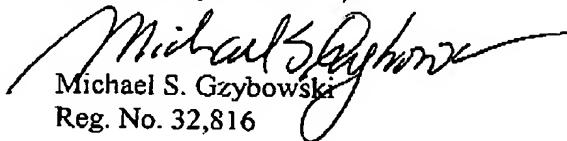
If upon consideration of the above, the Examiner should feel that there remain outstanding issues in the present application that could be resolved, the Examiner is invited to contact applicant's patent counsel at the telephone number given below to discuss such issues.

To the extent necessary, a petition for an extension of time under 37 CFR §1.136 is hereby made. Please charge the fees due in connection with the filing of this paper, including extension of

Appl. No. 10/673,994
Amdt. Dated August 21, 2006
Reply to Office Action of March 20, 2006

time fees, to Deposit Account No. 12-2136 and please credit any excess fees to such deposit account.

Respectfully submitted,


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